HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

W.P. NO.8992 OF 1996

-

Between:

Mir Nisar Ali

..... Petitioner

AND

The Superintendent of Police, Krishna District,

at Machilipatnam and 3 others.

.....Respondents

::JUDGMENT::

Counsel for the Petitioner : Sri G.Kiran Kumar on behalf of Sri V.Venkataramana

Counsel for Respondent Nos.1 to 3: Government Pleader for Home

Counsel for Respondent No. 4 : none

Dated 14/6/2006

In this petition, the petitioner has prayed for issue of a mandamus to the respondents to ensure that the members of Asghari Group of Shia Muslims are not prevented from participating in the religious rites in respect of the Alam of Bara Imam Peeru of Mahcilipatnam, Krishna District. Another prayer made in the writ petition is to direct the police authorities not to extend any out of way support to Miransha group of Shia Muslims for performing the said religious rites.

On 8.6.2006, the Court had, after hearing learned counsel for the parties passed the following order.

> "Sri V.Venkatarama for the petitioners.
>
> Government Pleader for Home for respondent Nos.1 to 3.
>
> Arguments heard.
>
> Learned Government Pleader requests for seven days time to enable him to make a statement whether or not the Wakf Board has taken any concrete action in furtherance of order dated 10-07-2002 passed in W.P.M.P.No.11079 of 1996.

Adjourned to 14-06-2006.

In the meanwhile, the learned Government Pleader should get in touch with the local police head and make a statement whether the embers of group to which the petitioner belong are being prevented from touching the Peeru before crying Nara on the 10th day of Moharram.

Learned Government Pleader for Home on the basis of instructions given by the concerned authorities of the police department made a statement that since 1997 there is no dispute between two groups of Shia Muslims and members of both the groups are being allowed to perform all religious rights in respect of the Alam of Bara Imam Peeru of Machilipatnam.

In view of the statement of the learned Government Pleader, the writ petition is disposed of as infructuous.

G.S.SINGHVI, CJ

msv.